

REMARKS/ARGUMENTS

Claim Rejections – 35 U.S.C. §112:

Claims 3, 4 and 16-21 have been rejected under 35 U.S.C. §112, second paragraph, for allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Claims 3 and 4 have been cancelled. Accordingly, the rejection is obviated in that regard. With respect to claims 16-21, claims 16 and 17 have been amended to substitute “demultiplexer” for “multiplexer”. Accordingly, this objection should be overcome.

Claim Rejections – 35 U.S.C. §102(b):

Claim 12 has been rejected under 35 U.S.C. §102(b) as being anticipated by *Taneya et al.* U.S. patent no. 5,457,561. In order for there to be anticipation under 35 U.S.C. §102(b), each and every one of the elements of the claims must be found in a single reference. It is respectfully submitted that claim 12, as amended, recites subject matter not disclosed or suggested by the *Taneya et al.* patent. In particular, claim 12 now recites a bias control circuit including a wavelength division demultiplexer for demultiplexing multiple wavelength RF signals and generating two separate signals which are applied to photodetectors and combined by way of a summing junction. As set forth in column 8, lines 3-4 of the *Taneya et al.* patent, the system disclosed therein operates at a single wavelength. As such, a demultiplexer is not required nor are the multiple photodetectors. For these reasons and all of the above reasons, it is respectfully submitted that the *Taneya et al.* patent does not anticipate nor render obvious the system recited in claim 12.

Claims 13 and 12-24 have been rejected under 35 U.S.C. §102(b) as being anticipated by *Nemecek et al.* U.S. patent no. 5,953,139. Claims 22-24 have been cancelled. With respect to claim 13, claim 13 is similar to claim 12 but recites a single carrier signal with multiple wavelengths. These signals are demultiplexed and applied to separate photodetectors and

combined by way of a summing junction to provide an output signal. No such structure is disclosed or suggested in the *Nemecek et al.* patent. Accordingly, it is respectfully submitted that the *Nemecek et al.* patent does not anticipate nor render obvious the system recited in claim 13.

Claim 22-24 have been cancelled. As such, the rejection is obviated in that regard.

Claim Rejections – 35 U.S.C. §103(a):

Claims 1, 2, 5 and 7 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the *Nemecek et al.* patent further in view of *Ouchi et al.* U.S. patent no. 5,654,814. Claims 1, 2, 5 and 7 have been cancelled. Thus, this rejection is obviated.

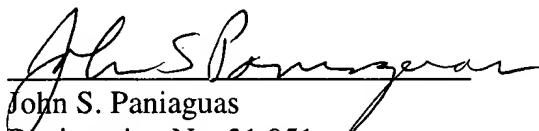
Claims 14 and 15 have been rejected under 35 U.S.C. §103(a) as being unpatentable over the *Nemecek et al.* patent in view of the *Ouchi et al.* patent. Claims 14 and 15 are dependent upon claim 13. As such, these claims recite, in combination, a pair of photodetectors and a summing junction. The *Nemecek et al.* patent has already been discussed. The *Ouchi et al.* patent likewise does not disclose a receiver having a pair of photodetectors in a summing junction. For these reasons and all of the above reasons the Examiner is respectfully requested to reconsider and withdraw this rejection.

CONCLUSION

An earnest attempt has been made to address each and every issue raised in the Official Action. Accordingly, an early allowance is earnestly solicited.

Respectfully submitted,

KATTEN MUCHIN ZAVIS ROSENMAN

By: 
John S. Paniaguas
Registration No. 31,051
Attorney for Applicant(s)

Katten Muchin Zavis Rosenman
525 W. Monroe Street

Appl. No.: 09/322,283

Amdt. dated: 12/18/2003

Reply to Office action of July 31, 2003

Suite 1600

Chicago, Illinois 60661-3693

(312) 902-5312

(312) 577-4532

Customer No.: 27160